UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

Nos. 94-1386

CHARLES A. CHRISTY,

vs.

PENNSYLVANIA TURNPIKE COMMISSION, A DULY ORGANIZED AND EXISTING AGENCY OF THE COMMONWEALTH OF PENNSYLVANIA; ROBERT BRADY, INDIVIDUALLY AND IN HIS OFFICIAL CAPACITY; JAMES J. DODARO, INDIVIDUALLY AND IN HIS OFFICIAL CAPACITY; HOWARD YERUSALIM, INDIVIDUALLY AND IN HIS OFFICIAL CAPACITY; FRANK S. URSOMARSO, INDIVIDUALLY AND IN HIS OFFICIAL CAPACITY; JAMES F. MALONE, III, INDIVIDUALLY AND IN HIS OFFICIAL CAPACITY; JOHN L. SOKOL, JR., INDIVIDUALLY AND IN HIS OFFICIAL CAPACITY; S. MICHAEL PALERMO, INDIVIDUALLY AND IN HIS OFFICIAL CAPACITY; JOSEPH L. DIRIENZO, INDIVIDUALLY AND IN HIS OFFICIAL CAPACITY; SAMUEL S. CARNABUCI, INDIVIDUALLY AND IN HIS OFFICIAL CAPACITY; MELVIN M. SHELTON, INDIVIDUALLY AND IN HIS OFFICIAL CAPACITY; DEBORAH KOVAL, INDIVIDUALLY AND IN HER OFFICIAL CAPACITY; JOHN A. BOSCHI, INDIVIDUALLY AND IN HIS OFFICIAL CAPACITY; VINCENT J. GRECO, INDIVIDUALLY AND IN HIS OFFICIAL CAPACITY; JOHN A. STEWART, INDIVIDUALLY AND IN HIS OFFICIAL CAPACITY; GEORGE PILECKI, INDIVIDUALLY AND IN HIS OFFICIAL CAPACITY; SEAN PILECKI, INDIVIDUALLY

Pennsylvania Turnpike Commission, Robert Brady, Vincent Greco and John Stewart

Appellants No. 94-1386

SUR PETITION FOR REHEARING

PRESENT: SLOVITER, Chief Judge, BECKER, STAPLETON, MANSMANN, GREENBERG, HUTCHINSON, SCIRICA, COWEN, NYGAARD, ALITO, ROTH, LEWIS, McKEE and SAROKIN, Circuit Judges

The petition for rehearing filed by the appellants in the above-entitled case having been submitted to the judges who participatede in the decision of this court and to all other available circuit judges in regular active service, and no judge who concurred in the decision having asked for rehearing, and a majority of the circuit judges in regular active service not having voted for rehearing by the court in banc, the petition for rehearing is denied.

BY THE COURT,

_____
Circuit Judge

Date: July 13, 1995